IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 46381-M of 2006

DATE OF DECISION : 08.09.2006

Nonad Kumar

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.S. Garg, Advocate,
for the petitioner.

Mr. Partap Singh, Senior D.A.G., Haryana.

* * *

Petitioner Nanod Kumar has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 246 dated 21.4.2006 under Sections 363, 366A and 376 IPC, registered at Police Station NIT Faridabad.

I have heard counsel for the parties and gone through the contents of the FIR as well as order dated 1.6.2006, passed by Additional Sessions Judge (II) Faridabad, whereby bail application of the petitioner has been dismissed.

In this case, the aforesaid FIR was registered on the complaint made by father of the prosecutrix on 21.4.2006 alleging therein that the petitioner enticed his daughter. Counsel for the petitioner contends that after six days, the petitioner as well as prosecutrix were arrested. The prosecutrix was produced before the Magistrate and her statement under Section 164 Cr.P.C. was recorded, wherein she stated that she has performed marriage with the petitioner with her free will and she had gone from her house at her own. She further stated that her parents were not happy with the marriage and she wanted to live with the petitioner. Counsel further contends that the marriage certificate was also produced before the police. He submits that the

petitioner is in custody since 27.4.2006.

In view of the above, without expressing any opinion on the merits of the case, I deem it appropriate to grant bail to the petitioner. He is accordingly ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

September 08, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**